



CITY OF GRAND RAPIDS

June 1, 2011

Diana Lopez
SUNSHINE REVIEW

Re: Freedom of Information Act Request #2970

Dear Ms. Lopez:

This letter will respond to your Freedom of Information Act request received by the FOIA Coordinator May 6, 2011. Your request is as follows:

"1) Records of salaries from January 1, 2008 to January 1, 2011 for the following, or equivalent, positions:

- Deputy District Chief
- District Chief
- Assistant Deputy Fire Commissioner
- Deputy Fire Commissioner
- First Deputy Fire Commissioner
- Fire Commissioner

2) Benefits information in dollars for items 1 and 2, from January 1, 2008 to January 1, 2011.

3) Overtime paid to personnel who retired January 1, 2008 to January 1, 2011. For example, if John Smith retired January 1, 2008, how much overtime was he paid in 2008?

4) Number of department-issued cell phones from January 1, 2008 to January 1, 2011. Also, any relevant policy regarding department-issued cell phones and cell phone reimbursement.

5) Number of department-issued personal cars for take-home use from January 1, 2008 to January 1, 2011. Also, any relevant policy regarding department-issued cars and mileage reimbursement."

Your request is granted in part and denied in part. As to paragraphs #1, 2 and 5 of your request, a copy of the public records available to respond to your request is enclosed.

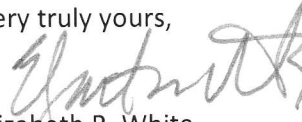
In response to paragraph #3 of your request seeking "overtime paid to personnel," benefits under the Grand Rapids Pension Systems are calculated based on group averages, and not on actual hours worked. The data you seek therefore does not presently exist in any compiled report. I have been informed by City Staff that there will be a significant amount of employee time that must be expended, in order to search for and compile documents that comply with paragraph #3 of your request. In addition to the staff time required, there will also be copying charges for the documents involved. MCL 15.234(2) permits a public body to "require at the time a request is made a good faith deposit from the person requesting the public record . . . if the fee authorized [by the statute] exceeds

\$50.00. The deposit shall not exceed ½ of the total approximate fee.” Pursuant to this statutory authority, the City of Grand Rapids hereby requires a deposit in the amount of \$300.00, before the City will begin to search for and compile the documents referenced above. Once this office receives your deposit, I will notify the appropriate department(s) to begin the required search.

As to paragraph #4 of your request, I am informed that there are 21 cell phones issued by the Grand Rapids Fire Department to members of that department. A copy of the City’s policy regarding cell phone use is enclosed.

You have certain rights to appeal the denial of your record request. You may either appeal to the City Commission or commence a Kent County Circuit Court action within 180 days of this letter. Your appeal rights and rights to damages for improper denial are specifically set out in Section 10 of the Act. A copy of Section 10 of the Act has been enclosed so that we may comply with MCL 15.235.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Elizabeth R. White", is written over the typed name.

Elizabeth R. White
Deputy City Attorney
FOIA Coordinator

RIGHT TO SEEK JUDICIAL REVIEW

- Sec. 10. (1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:
- (a) Submit to the head of the public body a written appeal that specifically states the word “appeal” and identifies the reason or reasons for reversal of the denial.
 - (b) Commence an action in the circuit court to compel the public body’s disclosure of the public records within 180 days after a public body’s final determination to deny a request.
- (2) Within 10 days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:
- (a) Reverse the disclosure denial.
 - (b) Issue a written notice to the requesting person upholding the disclosure denial.
 - (c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.
 - (d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.
- (3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing an action in circuit court under subsection (1)(b).
- (4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. The circuit court for the county in which the complainant resides or has his or her principal place of business, or the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.
- (5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.
- (6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorney’s fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys’ fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).
- (7) If the circuit court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

AN ORDINANCE TO AMEND SALARY ORDINANCE 2009-24 BY AMENDING SECTION 4. THEREOF.

ORDINANCE #2010-

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

That Section 4 of Salary Ordinance 2009-24, as previously amended, be amended to read as follows:

"Section 4. The following Fire Department Classifications shall be paid the amount or within the range listed opposite the Class Title:

Class No.	Class Title	Range No.
198	Fire Lieutenant – Hazardous Materials Planner	3B (1 Step)
200	Fire Captain – Prevention	5B (1 Step)
201	Fire Fighter	1B (5 Steps)
202	Fire Equipment Operator	2B (1 Step)
203	Fire Lieutenant	3B (1 Step)
204	Fire Captain	5B (1 Step)
205	Battalion Fire Chief	6B (1 Step)
206	Deputy Fire Chief	7B (1 Step)
207	Fire Chief – Training	6B (1 Step)
208	Fire Captain – Training	5B (1 Step)
209	Fire Investigator	4B (1 Step)
210	Fire Prevention Inspector	3B (1 Step)
211	Fire Marshal	6B (1 Step)
214	Fire Captain – Building Maintenance	5B (1 Step)
215	Fire Maintenance Electrician	1B (5 Steps)
220	Fire Captain – Fleet Maintenance	5B (1 Step)
463	Assistant Fleet Maintenance Supervisor	3B (2 Steps)
807	Emergency Medical Services Coordinator	4B (1 Step)
815	Strategic Planning Officer	3B (1 Step)"

Section 2. That all Ordinances in conflict herewith are repealed.

FIRE DEPARTMENT EMPLOYEE BARGAINING UNIT
ANNUAL SALARY SCHEDULE

Salary Range Number	S T E P S					
	A	B	C	D	E	F
1B		\$35,538.	\$41,613.	\$44,801.	\$48,005.	\$54,294.
1B		\$38,404.	\$41,613.	\$44,801.	\$48,005.	\$54,294.
2B						\$57,739.
3B						\$62,445.
4B						\$64,344.
5B						\$66,242.
6B						\$70,599.
7B						\$84,172.
3B					\$57,740.	\$62,445.

Each of the foregoing salary ranges shall consist of a minimum rate which is the lowest amount in the columns opposite the range number, a maximum rate which is the highest amount in the columns opposite the range number and intermediate steps which are stated in the columns between the minimum and maximum.

Section 1.2. There is hereby established the following schedule of annual pay ranges which shall be the basis for establishing the rates of compensation of all employees in the classes of positions described in Section 4, effective July 1, 2006.

FIRE DEPARTMENT EMPLOYEE BARGAINING UNIT
ANNUAL SALARY SCHEDULE

Salary Range Number	S T E P S					
	A	B	C	D	E	F
1B		\$36,604.	\$42,861.	\$46,145.	\$49,445.	\$55,922.
1B		\$39,556.	\$42,861.	\$46,145.	\$49,445.	\$55,922.
2B						\$59,472.
3B						\$64,319.
4B						\$66,275.
5B						\$68,229.
6B						\$72,717.
7B						\$86,698.
3B					\$59,472.	\$64,319."

Each of the foregoing salary ranges shall consist of a minimum rate which is the lowest amount in the columns opposite the range number, a maximum rate which is the

AN ORDINANCE TO FIX THE SALARIES AND RATES OF COMPENSATION OF CERTAIN EMPLOYEES OF THE CITY OF GRAND RAPIDS CLASSIFIED IN CLASS TITLES WHICH ARE WITHIN THE FIRE DEPARTMENT EMPLOYEE BARGAINING UNIT; TO ADOPT A SCHEDULE OF ANNUAL PAY RANGES FOR SUCH EMPLOYEES; TO PROVIDE FOR ADJUSTMENTS IN SUCH PAY RANGES; TO PROVIDE FOR THE ADOPTION OF RULES PRESCRIBING THE METHOD OF PROVIDING FOR INCREASES AND DECREASES IN COMPENSATION WITHIN PAY RANGES ESTABLISHED BY THIS ORDINANCE; TO PROVIDE FOR THE REGULATIONS OF OTHER PERSONNEL MATTERS AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREIN, SAID REPEAL TO BECOME EFFECTIVE AS OF MAY 12, 2009.

ORDINANCE NO. 2009-

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

"Section 1. There is hereby established the following schedule of annual pay ranges which shall be the basis for establishing the rates of compensation for all employees in the classes of positions described in Section 4., effective May 12, 2009, with a compounding effect:

FIRE DEPARTMENT EMPLOYEE BARGAINING UNIT
ANNUAL SALARY SCHEDULE

Range	B	C	D	E	F
01B (Firefighter)	\$38,269	\$44,812	\$48,244	\$51,695	\$58,467
01B (Fire Maintenance Electrician)	\$41,356	\$44,812	\$48,244	\$51,695	\$58,467
02B					\$62,178
03B				\$62,178	\$67,245
04B					\$69,290
05B					\$71,333
06B					\$76,027
07B					\$90,642

Each of the foregoing salary ranges shall consist of a minimum rate which is the lowest amount in the columns opposite the range number, a maximum rate which is the highest amount in the columns opposite the range number and intermediate steps which are stated in the columns between the minimum and maximum.

Section 1.1. There is hereby established the following schedule of annual pay ranges which shall be the basis for establishing the rates of compensation of all employees in the classes of positions described in Section 4., effective July 1, 2009.

**FIRE DEPARTMENT EMPLOYEE BARGAINING UNIT
ANNUAL SALARY SCHEDULE**

Range	B	C	D	E	F
01B (Firefighter)	\$39,417	\$46,156	\$49,691	\$53,246	\$60,221
01B (Fire Maintenance Electrician)	\$42,596	\$46,156	\$49,691	\$53,246	\$60,221
02B					\$64,043
03B				\$64,043	\$69,263
04B					\$71,369
05B					\$73,473
06B					\$78,307
07B					\$93,362

Each of the foregoing salary ranges shall consist of a minimum rate which is the lowest amount in the columns opposite the range number, a maximum rate which is the highest amount in the columns opposite the range number and intermediate steps which are stated in the columns between the minimum and maximum.

Section 2. In addition to the salary herein provided, there are hereby established certain fringe benefits and personnel policies which shall be in accordance with the terms of the latest Labor Agreement between the Fire Department Employees Union and the City of Grand Rapids, and shall include, but not be limited to, longevity pay, sick leave, vacation, military leave, leave without pay, holiday pay, overtime, working hours and other personnel matters.

Section 3. For each class of positions in the service of the City of Grand Rapids assigned to the salary range number prescribed in Section 4., of this Ordinance, and for each class of positions therein designated the minimum rate of compensation shall be the lowest amount in the columns opposite such range number as shown in the tables in Section 1. and 1.1. hereof, except that for those classes of positions in said Section 4., after which "5 Steps" is indicated, the minimum rate of compensation shall be Step B, for those classes after which "2 Steps" is indicated, the minimum rate of compensation shall be Step E, and

CITY OF GRAND RAPIDS

ANNUAL COMPENSATION STATEMENT

PERIOD: January 01, 2008 - December 31, 2008



CONFIDENTIAL

Robert Vansolkema (X0963)
18110_ Fire - Administration

Robert Vansolkema (X0963)

Fire Chief

Annual Salary :	\$117,364
Stipends, educational certifications, etc.	\$0
Employer Contribution for Pension or Employer 401(a)Plan Contribution:	\$0
Medicare Supplement Contribution:	\$804
Longevity Pay:	\$1,500
Annual Cost to Department for Health Insurance:	\$12,349
Employer Paid Payroll Taxes:	\$0
Total Value of Compensation and Fringe Benefits:	<hr/> <hr/> \$132,018

This statement is intended for informational use only. It does not replace a W-2 and should not be used for wage verification. The annualized figures have been rounded. Please contact Joo Kim (456-3160) in the Human Resources Department with any questions regarding this information.

(OVER)

CITY OF GRAND RAPIDS

ANNUAL COMPENSATION STATEMENT

PERIOD: January 01, 2008 - December 31, 2008



CONFIDENTIAL

Laura Knapp (K9187)

18110_ Fire

Laura Knapp (K9187)

Deputy Fire Chief

Annual Salary :	\$86,698
Stipends, educational certifications, etc.	\$400
Employer Contribution for Pension or Employer 401(a)Plan Contribution:	\$0
Medicare Supplement Contribution:	\$617
Longevity Pay:	\$810
Annual Cost to Department for Health Insurance:	\$13,032
Employer Paid Payroll Taxes:	\$0
Total Value of Compensation and Fringe Benefits:	<hr/> <hr/> \$101,556

This statement is intended for informational use only. It does not replace a W-2 and should not be used for wage verification. The annualized figures have been rounded. Please contact Joo Kim (456-3160) in the Human Resources Department with any questions regarding this information.

(OVER)

CITY OF GRAND RAPIDS

ANNUAL COMPENSATION STATEMENT

PERIOD: January 01, 2008 - December 31, 2008



CONFIDENTIAL

Barton Perry (P0519)
18130_ Fire-Suppression

Barton Perry (P0519)

Battalion Fire Chief

Annual Salary :	\$72,718
Stipends, educational certifications, etc.	\$0
Employer Contribution for Pension or Employer 401(a)Plan Contribution:	\$0
Medicare Supplement Contribution:	\$671
Longevity Pay:	\$810
Annual Cost to Department for Health Insurance:	\$13,032
Employer Paid Payroll Taxes:	\$0
Total Value of Compensation and Fringe Benefits:	<hr/> <hr/> \$87,231

This statement is intended for informational use only. It does not replace a W-2 and should not be used for wage verification. The annualized figures have been rounded. Please contact Joo Kim (456-3160) in the Human Resources Department with any questions regarding this information.

(OVER)

GLOSSARY

1. MEDICARE SUPPLEMENT

The Medicare Supplement line item has nothing to do with the federal government. It is a negotiated City benefit contained in the labor contracts and/or the management fringe benefits handbook for non-represented employees. A trust fund was established many years ago into which the City contributes a negotiated amount for each employee unit. This special fund is used exclusively to help eligible over 65 retirees with their health insurance costs. Each year, the City sets aside funds to be placed in the trust fund for the current employees using a formula that has been negotiated by the City and each bargaining/employee unit. The amount you see is the dollar amount contributed per employee/per employee unit.

2. HEALTH INSURANCE

The health insurance cost you see is the amount your department was charged to cover you under the City's plan for 2008. **This amount is not intended to reflect your actual health insurance costs for the year.** Every department must pay a certain dollar amount to cover its employees under the City's health insurance fund since the City is a self insured employer (we pay our own claims). Each year the charge to the City's departments will change based on the prior year's actual costs and projected increases with health care providers (i.e. hospitals, laboratories, etc.).

3. STIPENDS, EDUCATIONAL CERTIFICATIONS, ETC.

This line item applies to only those bargaining units that have specialty services or those who have specific provisions in their labor contracts dealing with these unique requirements. Your statement will indicate a \$0 amount if this item is not applicable to you.

4. EMPLOYER'S CONTRIBUTION TO PENSION

This item reflects the amount of money that the City (as the employer) paid out last year on your behalf into your pension retirement system. While many of you are aware that you also make an employee contribution amount towards your retirement, those contribution amounts are not recorded here because this is an employer's contribution statement. For detailed information about the amount of money you contribute into your retirement, please refer to your official annual/quarterly statements provided by the Pension Services office, the ICMA 401 Plan administrator, or the 457 deferred comp administrator.

City of Grand Rapids Twenty-Four Hour Vehicle Assignments

December 4, 2009

Environmental Services Department (2)

Utilities Supervisor

Utilities Supervisor, Seasonal-11/20-4/1

Engineering Department, Seasonal-3/1-12/1 (5)

Assistant City Engineer

(4) Construction Inspection Supervisor

Executive Office (3)

Mayor

City Manager, car allowance

Deputy City Manager, car allowance

Fire Department (8)

Acting Fire Chief

(2) Deputy Fire Chief

Assistant Fleet Maintenance Supervisor

Training Supervisor

Acting Fire Investigator

Hazardous Materials Planner

Apparatus Maintenance Supervisor

Facilities and Fleet Management Department, Seasonal-11/20-4/1 (3)

Equipment Maintenance Superintendent

Equipment Maintenance Supervisor

Lead Equipment Mechanic

Police Department (78) - 8 = 70

Police Chief

Deputy Police Chief

~~(5) Police Captain~~

~~Police Lieutenant-Training~~

~~Police Lieutenant-Internal Affairs~~

~~Police Sergeant-Internal Affairs~~

Detective Unit

Police Captain

Police Lieutenant

(3) Police Sergeants

(20) Police Officers

K-9 Unit

(3) Police Sergeants

(5) Police Officers

Special Response Team

Police Lieutenant

(2) Police Sergeants

(15) Police Officers

(1) Spare Vehicle

Vice Unit

Police Lieutenant

(2) Police Sergeants

(13) Police Officers

Public Works Department (4)

(2) Streets and Sanitation Supervisor, Seasonal-11/1-4/1

Forestry Supervisor, Seasonal-11/1-4/1

Signal and Lighting Superintendent


Water System Department (3)

Water Filtration Plant Superintendent

Administrative Services Officer II—Coldbrook Pumping Plant

Utility Supervisor—Meter Maintenance, Seasonal-11/20-3/31

CITY COMMISSION POLICY

GRAND RAPIDS  MICHIGAN	NUMBER: 600-13	HISTORY FILE # DATE	
	DATE: November 17, 1970	45319	07/02/85 05/15/96
	FILE NUMBER: 23212		
	DEPARTMENT: HRD/ LABOR RELATIONS		

SUBJECT: **ASSIGNMENT OF 24-HOUR VEHICLE USE TO ELECTED AND APPOINTED OFFICIALS, AND EMPLOYEES OF THE CITY**

PURPOSE: To establish a uniform basis on which the City may assign or rescind assignments of 24-hour vehicle use to officials and employees.

POLICY:

1. Vehicles are a prerogative of the offices of Mayor and City Manager.
2. Vehicles may be assigned to any other elected or appointed City official, or employee, on a 24-hour basis. Assignments shall be subject to periodic review and are subject to being rescinded at the sole discretion of the City.
3. Vehicle assignments on a 24-hour basis may be made on a year-round, seasonal or temporary basis.
4. Vehicles assigned on a 24-hour basis may be used only by the employee or official for the performance of City business, and for travel between the site of such City business and the employee's or official's home. City vehicles shall not be used for personal business or personal convenience of the employee, official, or members of his/her family. These restrictions do not apply to vehicles assigned to the Mayor and the City Manager.

ASSIGNMENT PROCEDURES

5. All department heads shall be responsible for initially reviewing employee requests for 24-hour vehicle assignments. If the department head does not recommend approval of the assignment, it shall not be made. No further review shall take place.

CITY COMMISSION POLICY

NUMBER: 600-13

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6. The City Manager shall be responsible for reviewing the requests of department heads and all the favorable recommendations they have made. If the City Manager does not approve the requested or recommended assignment, it shall not be made.
7. The City Commission shall be responsible for reviewing the requests for 24-hour vehicle assignments for its own members and for the officials it appoints. Unless the Commission, by vote, approves such assignments, they shall not be made.
8. The City Manager shall report periodically to the City Commission on all existing 24-hour vehicle assignments.

REVIEW CRITERIA

9. Vehicle assignments on a 24-hour basis may be made if it is determined that such assignment will result in a more economical and efficient use of City resources in the performance of emergency or on-call duties beyond the normal work day.
10. Vehicle assignments on a 24-hour basis may be rescinded due to:
 - a. A change in City Commission policy.
 - b. Budgetary constraints.
 - c. Violation of this policy by an employee or official.
 - d. A determination that the assignment is no longer an economical or efficient use of City resources or not in the best interest of the City.

DISCIPLINARY PROCEDURES

11. If a City vehicle is used in violation of the above policy by a City employee, he/she shall be subject to disciplinary action.
12. If a City vehicle is used in violation of the above policy by a City Commissioner or an official they have appointed, he/she shall be subject to disciplinary action. It shall be the responsibility of the City Commission to investigate and carry out such disciplinary action if deemed necessary.

LIABILITY WHEN CITY VEHICLE USE IS NOT IN COMPLIANCE WITH THIS POLICY

13. The appointed or elected official, or employee (rather than the City) shall be liable for all damages to City vehicles and for claims made by others if City vehicle use resulting in such damage or claims is not in compliance with the above policy.